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**City of Detroit**  
**Board of Zoning Appeals**  
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**JAMES W. RIBBRON**  
Director

**REGULAR MEETING OF**  
**JANUARY 22, 2019**  
**IN THE ERMA L. HENDERSON AUDITORIUM**  
**ON THE 13TH FLOOR**

**DOCKET**

- I. OPENING:**
  - A. CALL TO ORDER.....9:00 A.M.**
  - B. ROLL CALL.....**
- II. PROCEDURAL MATTERS**
- III. MINUTES:**
  - A. APPROVAL OF MINUTES: December 20, 2018**
- IV. COMMUNICATIONS:**
- V. MISCELLANEOUS BUSINESS:**
- VI. PUBLIC HEARINGS:**

**9:15 a.m. CASE NO.: 80-18**

**APPLICANT: KECIA ESCOE**

**LOCATION: 12200 PETOSKEY AVE** Between: Richton St and Cortland St in a R2 Zone (two Family Residential District) – Council District # 7

**LEGAL DESCRIPTION OF PROPERTY:** N RICHTON 232 LEWIS & CROFOOTS SUB NO 5 L27 P70 PLATS, W C R 14/194 39.4 X 77.14A

**PROPOSAL:** Kecia Escoe request permission to change one nonconforming use (Original Use) to another non-conforming use (Quilting Education Studio) located on a 6 square foot Building locate on a 3,049 square foot lot in an R2 zone (Two Family Residential District). This case is appealed because a non-conforming use may be changed to another nonconforming use only where reviewed and approved by the Board of Zoning Appeals in accordance with the procedures that are specified in Section 61-2-46 of this Code and the Board of Zoning Appeals may approve such change of use only where the Body determines that the new proposed use will be less injurious to the surrounding area than the previous nonconforming use. P&DD report indicated there are no deficiencies. (Sections 61-15-20 Change of Use to Other Nonconforming Use, 61-15-17 Required Findings).AP

**\*This Meeting is open to all members of the public under Michigan’s Open Meetings Act\***

10:00 a.m.

**CASE NO.:** BSEED 184-17 – Community Appeal  
(Adjourned from September 18, 2018)

**APPLICANT:** JUDITH SALE

**LOCATION:** 2031, 2037, 2043 & 2047 11<sup>TH</sup> STREET Between: Michigan Ave and Church St in a B4 Zone (General Business District) – Council District # 6

**LEGAL DESCRIPTION OF PROPERTY:** AVAILABLE UPON REQUEST

**PROPOSAL:** Judith Sale appeals the decision of the Buildings Safety Engineering and Environmental Department (BSEED 184-17) which (Approved With Conditions) TO construct two, three story townhouse buildings (18 units) on a 17,967 square feet vacant site in a B4 zone (General Business District). This case is appealed because Appeals to the Board of Zoning Appeals may be taken by any person, firm, partnership or corporation, or by any City department, commission, board or other City agency which is aggrieved 1) by a decision of an enforcing officer, or 2) by any decision made by the Buildings and Safety Engineering Department involving Conditional Uses. (Sections 61-4-72 Appeals and 61-3-231 General Approval Criteria).AP

10:45 a.m.

**CASE NO.:** 73-18 (aka BSEED 181-16)

**APPLICANT:** SHARET MAZEN

**LOCATION:** 13747 Plymouth Rd. Between: Shirley Ave. and Schaefer Hwy. in a B4 Zone (General Business District) – Council District # 7

**LEGAL DESCRIPTION OF PROPERTY:** S PLYMOUTH E 204 FT OF W 666 FT OF A EXC N 33 FT E 104 FT OF W 566 FT OF B EXC RR SPUR TRACK PLAT OF THE ESTATE OF JOHN KEAL L543 P404 DEEDS W C R 22/586 29 239 SQ FT

**PROPOSAL:** Sharet Mazen requests a Variance of Spacing/Locational Regulation TO ADD Used Moto Vehicle Sales to an establish Used Auto Parts and Wrecking Lot (Junk Yard) APPROVED in (BSEED 152-89) in a B4 zone (General Business District). This case is appealed because after a public hearing, a variance may be granted by the Board of Zoning Appeals based on the approval criteria of Sec. 61-4-81 of this Code in the instance that when an administrative adjustment is granted, excluding all Adult Uses, the Board of Zoning Appeals may modify any spacing or locational regulation, also known as a locational variance, in Sec. 61-12-87, between land uses as provided for in the table in Sec. 61-12-91 of this Code and in accordance with the procedures in Sec. 61-12-95 of this Code and any use regulation that is specified in ARTICLE XII DIVISION 3 of this code. Also, Used Motor Sales Lots cannot be established within 1,000' of another Used Motor Vehicle Sales Lot. There are three existing used auto sales lots within 1,000 feet of this property: 13631 Plymouth – located 361 feet away, 13777 Plymouth – located 0 feet away (adjacent), 10040 Freeland – located 772 feet away and 11374 Schaefer – located 820 feet away. In addition, this use is required to be located on a major thoroughfare (Sections 61-4-92(1&3) Other Variances, Variance of Use Regulation and Variance of Spacing/Locational Regulation, 61-12-95 Waiver of General Spacing Requirements and 61-4-81 Approval Criteria).AP

11:30 a.m.      **CASE NO.:**      94-17 (aka BSEED 145-16)  
REMANDED BACK BY CIRCUIT COURT TO BZA FOR NEW HEARING

**APPLICANT:**      MANAR ABBO / PLYBURT, LLC.

**LOCATION:**      13624 E Eight Mile Rd Between: Schoenherr St and Reno St in a B4 Zone (General Business District) – Council District # 3

**LEGAL DESCRIPTION OF PROPERTY:**      S EIGHT MILE E 297 THRU 300 EXC EIGHT MILE RD AS WD HUNDS REGENT PARK SUB L55 P8 PLATS, W C R 21/898 80 X 58

**PROPOSAL:**      Manar Abbo / Plyburt, LLC. requests a Variance of Spacing / Locational Regulation TO establish a Medical Marihuana Caregiver Center (MMCC) in an existing approximate 1,434 square foot building, which was APPROVED conditionally in (BSEED 145-16) in a B4 zone (General Business District). This case is appealed because the Buildings, Safety Engineering, and Environmental Department shall not approve any request under this Chapter for a medical marihuana caregiver center: One thousand (1,000) radial feet from any zoning lot occupied by a Controlled Use (other than arcade). The proposed use is within 1,000 radial feet of one Controlled Use, (Rainbow Market) located at 13510 E. Eight Mile Rd. – 357.7’ feet away. Also, the Board of Zoning Appeals may modify any spacing or locational regulation, also known as a locational variance, in Sec. 61-12-87 of this Code; remanded by Circuit Court November 30, 2018 back to BZA for New Hearing. (Sections 61-3-354 Conditional Uses; Procedures; Waivers; Public Nuisance, 61-12-92 Other uses-Spacing, 61-12-87 SPC (Spacing), 61-4-92(3) Other Variances, Variance of Spacing/Locational Regulation, 61-12-95 Waiver of General Spacing Requirements and 61-4-81 Approval Criteria).AP

- VII.      **PUBLIC COMMENT / NEW BUSINESS**  
Next Hearing Date: January 29, 2019
- VIII.      **ADVISEMENTS / OLD BUSINESS**
- IX.      **MEETING ADJOURNED**

With advance notice of seven calendar days, the City of Detroit will provide interpreter services at public meetings, including language translation and reasonable ADA accommodations. Please contact the Civil Rights, Inclusion and Opportunity Department at [\(313\) 224-4950](tel:3132244950), through the TTY number 711, or email at [crio@detroitmi.gov](mailto:crio@detroitmi.gov) to schedule these services.